

AMENDED IN ASSEMBLY JANUARY 25, 2010

AMENDED IN ASSEMBLY JANUARY 4, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1225

Introduced by Assembly Member De La Torre

February 27, 2009

An act to add Section 8607.5 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1225, as amended, De La Torre. Emergency and disaster response exercises: infectious diseases.

(1) The California Emergency Services Act sets forth the duties of state and local agencies in emergency and disaster preparedness and response generally.

This bill would additionally require, pursuant to the act, that the State Department of Public Health and local public health departments, when conducting emergency or disaster preparedness exercises relating to the outbreak of an infectious disease, establish a process to identify any deficiencies in the preparedness plans and procedures and track implementation of corrective measures, according to specified criteria. *The bill would required the department to make an after-action report available either by posting it on the departments Internet Web site, providing in upon request, or both.* By imposing a new duty on local agencies, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature in enacting this
2 act to ensure that state and local agencies are as prepared as
3 possible to respond to an outbreak of infectious disease, including
4 an influenza pandemic, in the state.

5 SEC. 2. Section 8607.5 is added to the Government Code, to
6 read:

7 8607.5. (a) The State Department of Public Health and local
8 public health departments, when conducting emergency or disaster
9 preparedness exercises relating to the outbreak of an infectious
10 disease, shall establish a process to identify any deficiencies in
11 preparedness plans and procedures and track the implementation
12 of corrective measures to ensure that desired improvements are
13 made to those preparedness plans. The process shall provide for
14 at least both of the following:

15 (a)

16 (1) Preparation of an after-action report for each exercise
17 conducted, to be submitted to the department within 90 days of
18 the exercise, or within a time period required by the terms and
19 conditions of any federal financial assistance the State Department
20 of Public Health department or local public health department has
21 received to prepare for an act of bioterrorism or other public health
22 emergency. After-action reports shall include, but not be limited
23 to, a review of identified deficiencies, a review of response actions
24 taken, suggested modifications to plans and procedures, including,
25 but not limited to, the standardized emergency management system
26 required by Section 8607, and identified training needs.

27 (b)

28 (2) Establishing written procedures to assist in the review and
29 consideration, and, if applicable, implementation of
30 recommendations included in after-action reports. Implementation

1 of the recommendations shall be at the option of the entity in
2 question.

3 *(b) The department shall make an after-action report available*
4 *for inspection by the public by either posting the after-action report*
5 *on the department's Internet Web site or providing a copy, upon*
6 *request, or both.*

7 SEC. 3. It is the intent of the Legislature that the requirements
8 of Section 8607.5 of the Government Code, as added by Section
9 2 of this act, are to supplement and shall not be interpreted to
10 supplant, or to prevail over, the terms and conditions of any federal
11 financial assistance the State Department of Public Health or local
12 public health department has received to prepare for an act of
13 bioterrorism or other public health emergency.

14 SEC. 4. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.